

### **3.13 HAZARDOUS MATERIALS**

#### **3.13.1 ENVIRONMENTAL SETTING**

##### **Existing Conditions**

This purpose of this section is to describe the current site conditions relating to hazards on the proposed project site, provide a discussion of possible human health risks associated with implementation of the proposed project, and identify corresponding mitigation measures intended to respond to any possible health risks. Included in this analysis is a review of conventional hazard exposure and hazardous waste/materials exposure (including potential risk of upset or accidental releases).

Kleinfelder, Inc. prepared a Phase 1 Environmental Site Assessment (ESA) on the project site on August 7, 2002. The Phase 1 ESA include the following methodology: a site investigation on July 5, 2002; a review of aerial photographs and maps, relevant City and County documents, and a previous Phase 1 conducted by G-REM, Inc. and reviews of local regulatory agency documents. The major findings of this Phase 1 are summarized in the following paragraphs.

##### **Historical Land Uses**

According to the Phase 1 conducted by Kleinfelder, Inc., the site seemed to have been used for agricultural purposes from 1957 through 1994. Two shed-like structures were present on the site from 1957 to 1972. By 1994 the site was a vacant field and remains so today. Surrounding properties appear mostly as vineyards throughout the years reviewed.

##### **Onsite Conditions**

According to the Phase 1 conducted by Kleinfelder, Inc., the following onsite conditions were observed:

- ❖ A large soil stockpile is present near the eastern edge of the site. The stockpile is approximately 600 feet in length by 30 feet in width and 3 feet in height. The source of this soil is unknown.
- ❖ Numerous soil piles are present near the northern and southern edges of the site. The soil piles are approximately 3 feet in diameter and 3 feet in height. The source of the soil piles is unknown.
- ❖ A road-like gravel patch consisting of ¾-inch aggregate base is present west of the stockpile. There is no indication of staining or spillage on or around the patch.
- ❖ Four pole-mounted transformers are present along the northern edge of the site. No staining or leakage was observed on or around the transformers and they are not expected to have an adverse impact on the site.

- ❖ A vegetated area is present in the central portion of the site, near the northern edge of the site. There is an agricultural well, a distribution box, and a well pump within the vegetated area. Oil staining was noted on and around the pump. The pump is situated on a concrete pad. However, the staining extended off the concrete pad impacting the ground surface (soil) approximately 3 feet in diameter.
- ❖ A partially fallen shed is present in the vegetated area of the site. The shed is constructed from wood and has an exposed dirt floor. An electrical box is located on the wall of the shed. The electrical box is likely related to the well pump.
- ❖ A below surface pit is observed in the shed. The pit is approximately 3 feet by 4 feet and 2 to 3 feet deep, with concrete sides and a dirt floor. No staining, leakage, or odors were noted in connection with the pit.

### **Offsite Conditions**

In addition to the existing on-site conditions, the Phase 1 study conducted by Kleinfelder, Inc. identified the following offsite conditions:

- ❖ An abandoned shed is present near the western border of the site. The shed is not expected to have an adverse impact on the site.
- ❖ A pole-mounted transformer is located near the western edge of the site. No staining or leakage was observed on or around the transformer and it is not expected to have an adverse impact on the site.

### **Relevant General Plan Goals, Policies, and Objectives**

The Lodi General Plan contains a number of policies that direct the future and long-term use of the project site. Other General Plan policies relevant to other environmental issues are incorporated into those sections and are not duplicated in the hazards and hazardous materials discussion. Among the policies relevant to the hazards and hazardous materials discussion are the following:

- ❖ Policy 1: The City shall consider the potential for the production, use, storage, and transport of hazardous materials in approving new development and provide for reasonable controls on such hazardous materials.
- ❖ Policy 2: Within its authority, the City shall regulate the production, use, storage, and transport of hazardous materials to protect the health of Lodi residents.

### **3.13.2 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

Significant impacts related to hazards and hazardous materials were determined from criteria stated in *Appendix G of the State CEQA Guidelines*. Hazardous wastes and materials are regulated independently of the CEQA process by numerous federal, state, county and local laws and regulations. These laws and regulations are enforced by federal, state, county, and local agencies. Hazardous wastes, materials, and remediation issues are addressed in the CEQA process to identify and evaluate

possible impact to human, plant, and animal populations that could potentially result from implementation of the proposed project.

### **Thresholds of Significance**

Would the project:

- ❖ Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- ❖ Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- ❖ Be located on a site which is included on a list of hazardous materials sites compiled pursuant Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.

**IMPACT 3.13-A. Hazardous Materials Impact:** Household cleaners, fertilizers, pesticides, oil, automobile products and other household hazardous materials would be sold at some of the retail shopping uses at the site. These materials would be packaged in such a way to prevent consumers from ingesting, inhaling or otherwise coming into direct contact with them. Handling, storage and transport of materials would be conducted in routine ways, in accordance with state, federal and local regulations. The proposed project does not have the potential to create a significant hazard to the public through foreseeable upset or accident conditions. (Less than Significant Impact)

Retail shopping centers typically sell household cleaners, fertilizers, pesticides, oil, automobile products and other household hazardous materials. These are packaged in such a way to prevent consumers from ingesting, inhaling or otherwise coming into direct contact with them without proper clothing or other protection (e.g., gloves). It is anticipated that the proposed retail shopping center would sell similar household hazardous materials under the supervision of trained store personnel. Materials and goods would be transported to the site in trucks that equipped and designed to carry them. The transport to the site would be anticipated to be routine. The transportation, storage and use of these materials would be required to comply with the federal and state rules and regulation related to the transportation, storage, and use of hazardous materials. Therefore, less than significant impacts would result.

**Mitigation 3.13-A:** As this project would have a less than significant impact with relation to hazardous materials, no mitigation is required.

**IMPACT 3.13-B. Underground Hazardous Materials:** The proposed site has the potential for hazardous materials located underground. Potential hazardous materials included pesticides in the soil, oil within the soil, and asbestos lined pipes within areas of the site. (Less than Significant with Mitigation)

The historic use of the site for agricultural production may have resulted in the contamination of onsite soils. A combination of currently banned pesticides may have been currently used on site. As a result, onsite soils may be contaminated with residual pesticides. These pesticides could be present in the soils, in the soil piles, and the within the below surface pit. Adverse health effects associated with the improper handling and disposal of contaminated onsite soils would be considered a potentially significant impact unless mitigation is incorporated.

Oil staining was observed on and around the well pump, located in the vegetated area, along the northern edge of the property. The staining extended off the concrete pad approximately 3 feet in diameter impacting the soil surrounding the well pump. Adverse health effects associated with the improper handling and disposal of contaminated onsite soils would be considered a potentially significant impact unless mitigation is incorporated.

Properties with a history of agricultural use have the possibility of having underground pipelines. It was common for these pipelines to contain asbestos. Adverse health effects associated with the improper handling and disposal of these pipes would be considered a potentially significant impact unless mitigation is incorporated.

**Mitigation 3.13-B.1:** Soil samples shall be taken within the project site (including various areas of the site, the soil piles, and the below surface pit) to determine the presence or absence of banned pesticides. If soil sampling indicates the presence of any contaminant in hazardous quantities, the RWQCB and the Department of Toxic Substances Control (DTSC) will be contacted to determine the level of any remediation efforts, and the soils shall be remediated in compliance with applicable laws.

**Mitigation 3.13-B.2:** Shallow soil sampling shall be conducted in this area to determine the presence or absence of hydrocarbon contamination. If soil sampling indicates the presence of any contaminant in hazardous quantities, the RWQCB and DTSC will be contacted to determine the level of any remediation efforts, and these soils shall be remediated in compliance with applicable laws.

**Mitigation 3.13-B.3:** In the event that subsurface pipes are discovered during site development, grading, or excavation of the site, it should be determined if these pipes contain asbestos. If it is found that these pipes contain asbestos, these pipes should be removed, handled, transported, and disposed of in accordance with applicable local, county and state regulations.

**IMPACT 3.13-C: Hazardous Materials Site:** The project site is not included on list of hazardous materials sites therefore less than significant impacts would result. (Less Than Significant Impact)

Pursuant to the California Government Code Section 65962.5, certain state agencies must compile and report any site that may pose hazardous materials risks.

The State of California Department of Toxic Substances Control must compile and update as appropriate, but at least annually a list of hazardous materials sites including, but not limited to, hazardous waste facilities, all land designated as hazardous waste property, and all sites included in the Abandoned Site Assessment Program.

In addition to the sites reported by the Department of Toxic Substances Control, The State Department of Health Services must also compile and update annually, and shall submit to the Secretary for Environmental Protection, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis.

The State Water Resources Control Board shall also report all underground storage tanks for which an unauthorized release report is filed, all solid waste disposal facilities from which there is a migration of hazardous waste, all cease and desist orders, and cleanup/abatement orders issued after January 1, 1986

The local enforcement agency must also compile and report all solid waste disposal facilities where there is a known migration of hazardous materials.

The information is then consolidated by the Secretary for Environmental Protection and submitted and distributed to each city and county in which sites on the lists are located.

The proposed project is not located on a site listed as a hazardous materials site (City of Lodi, 2002).

**Mitigation 3.13-C: The proposed project site is not listed on any hazardous materials site lists therefore no mitigation is required.**

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